

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3495 OF 2007

Shree Swami Vivekanand Shikshan
Sanstha, Kolhapur & Anr. ... Petitioners

V/s.

Sachin S. Doshi & Ors. ... Respondents

Mr.S.S. Pakale for Petitioners
Mr.Milind Deshmukh for Respondent No.1
Mr.R.M. Patne, AGP, for Respondent Nos.3 and 4

CORAM: SMT.NISHITA MHATRE, J.

DATED: AUGUST 14, 2007

P.C.:

. The petitioners challenge the order of the Industrial Court passed on an interim application filed in a complaint under Items 5, 6 and 9 of Schedule IV of the MRTU & PULP Act. The petitioners are to pay wages as per the appointment order issued to the Respondent No.1. The order which is annexed at Exhibit D to the petition indicates that Respondent No.1 has been appointed by the College on a time scale of Rs.2550-55-2660-3200 and as on 21.9.2001, he was entitled to Rs.2550/-. It has also been mentioned in the order that the next date of increment is 21.9.2002 and his revised pay would be Rs.2606/-. The grievance of Respondent No.1 in the complaint was that he has not been made permanent. Besides this in the interim application relief was sought that wages which are

legally due and payable to Respondent No.1 from the date of joining should be directed to be paid. Accordingly, the Industrial Court has directed payment of dues in accordance with the order at Exhibit D.

2. In my view, there is no error committed by the Industrial Court and, therefore, the petition has to be rejected. It is obvious that the amount which the Industrial Court has directed to be paid is the amount due in accordance with the order at Exhibit D. The arrears shall be paid to Respondent No.1 within four weeks from today. The Petitioner shall also continue paying the wages to Respondent No.1 in accordance with Exhibit D pending the complaint. The question of permanency would be decided when the complaint is finally disposed of.

3. Writ petition is rejected.